

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CALVIN SCOTT, SR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv651-T
	)	
JAMES (BUDDY) SWEARENGIN, JR.,	)	
	)	
Defendants.	)	

**ORDER**

Now pending before the court is the defendant's motion to dismiss (doc. # 5). Upon consideration of the motion to dismiss, and for good cause, it is

ORDERED that on or before August 31, 2005, the plaintiff shall show cause why the defendant's motion to dismiss should not be granted by specifically addressing the defendant's assertions that the plaintiff's claims are due to be dismissed because he failed to exhaust his mandatory administrative remedies.

The plaintiff is advised that if he fails to respond to the defendant's motion to dismiss with specificity, the court will treat his failure to respond as an abandonment of the claims set forth in his complaint. The plaintiff is further cautioned that if he fails to file a response to the motion to dismiss in accordance with the directives of this order, the court will recommend that this case be dismissed.

Done this 16<sup>th</sup> day of August, 2005.

\_\_\_\_\_  
/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE